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Attorneys for Plaintiffs
TROYLETTE BURTON, Individually, and as
administrator of the ESTATE OF THAYER
JOSEPH BURTON, AND THAYER BURTON

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TROYLETTE BURTON, Individually, and as
Administrator of the ESTATE OF THAYER
JOSEPH BURTON, and THAYER BURTON,

Plaintiffs,

vs.

MOISES FONSECA; ROBERT SMITH;
JANE/JOHN DOES; ISIDRO BACA; ADAM
LAXALT; BARBARA CEGAVSKE; and
BRIAN SANDOVAL,

Defendants.

Case No. 3:20-cv-00190-MMD-CLB

**STIPULATION AND ORDER REGARDING
THE IDENTIFICATION OF A FINAL
POLICYMAKER AND DEFENSES THAT
ARE WAIVED**

Plaintiffs, TROYLETTE BURTON, individually, and as Administrator of the ESTATE OF
THAYER JOSEPH BURTON, and THAYER BURTON; and Defendants, MOISES FONSECA,
ROBERT SMITH, JANE/JOHN DOES, ISIDRO BACA, ADAM LAXALT, BARBARA
CEGAVSKE, and BRIAN SANDOVAL (collectively hereinafter the "PARTIES"), by and through
their counsel of record, hereby stipulate and agree to the following:

1 In exchange for Plaintiffs' agreement to dismiss the Complaint against DEFENDANTS,
2 ADAM LAXALT, BARBARA CEGAVSKE, and BRIAN SANDOVAL, and the Court's adoption
3 of the related Stipulation of the Parties filed this date, Plaintiffs and Defendants stipulate and agree
4 as follows:

5 1. Warden, ISIDRO BACA, is the final policymaker as to all matters asserted in the
6 Complaint (excluding budgetary); and

7 2. The Defendants waive any defense that is in any way related to funding. Specifically,
8 no Defendant will raise a lack of adequate funding as a basis to support a defense or request for
9 immunity, or as a complete defense.
10

11 DATED: January 14, 2021

PETER GOLDSTEIN LAW CORP

12
13 By: /s/ Peter Goldstein

14 PETER GOLDSTEIN, ESQ.

15 Attorneys for Plaintiffs

16 *TROYLETTE BURTON, Individually, and as*
administrator of the ESTATE OF THAYER
JOSEPH BURTON, AND THAYER BURTON

17 DATED: January 14, 2021

18
19 By: /s/ Douglas R. Rands

20 AARON D. FORD, ESQ.

DOUGLAS R. RANDS, ESQ.

21 Attorneys for Defendants

22 *ISIDRO BACA, BARBARA CEGAVSKE, ADAM*
LAXALT, MOISES FONSECA, BRIAN SANDOVAL and
ROBERT SMITH

23 **ORDER**

24 IT IS SO ORDERED

25 DATED this 14th day of January, 2021.

26
27 

28 UNITED STATES DISTRICT JUDGE


CERTIFICATE OF SERVICE

I am employed in the County of Clark, State of Nevada. I am over the age of eighteen years and not a party to the within action; my business address is 10161 Park Run Drive, Suite 150, Las Vegas, Nevada 89145.

I hereby certify that on this 14th day of January, 2021, a true and correct copy of the following document **STIPULATION AND ORDER REGARDING THE IDENTIFICATION OF A FINAL POLICYMAKER AND DEFENSES THAT ARE WAIVED** was served by electronically filing with the Court's CM/ECF electronic filing system to the following parties:

Aaron D. Ford
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*Attorneys for Defendants Isidro Baca,
Barbara Cegavske, Adam Laxalt, Brian
Sandoval and Robert Smith*

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

By: 
An Employee of Peter Goldstein Law Corp